

**RESOLUTION 18-18**  
**THE TOWN OF FOREST HEIGHTS**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE TOWN OF FOREST HEIGHTS TO OBTAIN ADDITIONAL DESIGN SERVICES AND FINAL CONSTRUCTION DOCUMENTS FROM PENNONI ASSOCIATES INC. FOR RECONSTRUCTION OF NORTH HURON DRIVE; AND GENERALLY RELATED TO PROFESSIONAL SERVICES AND TOWN FINANCES

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, the Mayor and Council have the power pursuant to Section 33-75 of the Town Charter to establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on Town property or along any public way or part thereof, or grade lay out, construct, pave, repave, repair, extend, or otherwise alter sidewalks on Town property along any public way or part thereof; and

**WHEREAS**, the Mayor and Council further have the power pursuant to Section 33-83 of the Town Charter to do whatever may be necessary to protect Town property and to keep all Town property in good condition; and

**WHEREAS**, the Town has undertaken various activities in the past designed to improve water drainage of streets, roads, alleys and by-ways in the Town, which began with the preparation of the Drainage Assessment and Inspection Report and the Pedestrian Facilities Assessment and Transition Plan prepared by Pennoni Associates Inc. ("Pennoni") on January 22, 2011, which was an undertaking generally referred to as the "Forest Heights Permeable Green Streets Project;" and

**WHEREAS**, Pennoni found in its prior assessments that (i) due to its proximity to Oxon Run, (ii) location in the lowest section of Town, and (iii) topography such that the Town slopes towards North Huron Drive, that most of the Town's network of street the drainage systems will ultimately connect to the drainage system contained in North Huron Drive; and

**WHEREAS**, on October 7, 2013, the Mayor and Council pursuant to Resolution 70-13 approved an engineering proposal in the amount of \$374,000.00 dated September 19, 2013 by Pennoni Associates, Inc., for design of the reconstruction of North Huron Drive, which included within said sum an allowance of \$151,000.00 to subcontract with A.D. Marble & Company ("A.D. Marble") whereby Pennoni would incorporate final drainage, SWM, E&S and landscape designs developed by A.D. Marble to prepare a comprehensive set of final design plans, and to further allow Pennoni to incorporate construction specifications, estimates and permits/approvals obtained by A.D. Marble into the final construction and bidding documents; and

**WHEREAS**, on February 21, 2018, the Mayor and Council pursuant to Resolution 11-18 approved a fee proposal from a DPIE certified peer reviewer, AB Consultants, Inc., procured by

A.D. Marble to expedite the plan review process for this project in lieu of County staff in order to reduce the plan review and approval timeframe by up to 50%, at a cost not to exceed \$2,109.00; and

**WHEREAS**, the Charter, Section 33-63 further permits the Council to forego the competitive bidding process in order to negotiate professional services contracts such as engineering and related services; and

**WHEREAS**, the Town has obtained funding for this project through the State Highway Administration's Safe Routes to School Grant Program, having a newly approved extended deadline of December 15, 2018, and is pursuing funding from the Local Government Infrastructure Financing Program of the Md. Community Development Administration; and

**WHEREAS**, the Council has provided within the Fiscal Year 2018 Budget of the Town a capital improvements project line item numbered 8018 and further entitled: North Huron Construction in the amount of \$200,000 that was approved as part of the FY '18 Budget; and

**WHEREAS**, the Mayor and Council find that it is in the best interest of the Town to move forward with the design of reconstruction of North Huron Drive, and to approve this latest proposal from Pennoni Associates, Inc. to finalize plans and complete the procurement phase of this project.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorizes the Mayor to enter into a supplemental professional services agreement with Pennoni Associates Inc. entitled "Proposal for Professional Services – Safe Routes to School along North Huron Drive – Supplement" for services stated therein pursuant to the following conditions and terms stated herein below.

**AND BE IT FURTHER RESOLVED** that a contract in the amount not to exceed \$200,000 for engineering services for North Huron project for street and sidewalk improvements shall be authorized from line item 8018 of the FY2018 Budget.

**AND BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to enter into a written contract with the consultant on behalf of the Town.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect upon its passage.

**PASSED** this 26th day of March 2018.

**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YE/NAY/ABSTAIN/ABSENT

The Town of Forest Heights  
Resolution 18-18

Page 2

MUHAMMAD  
KENNEDY II  
MCLAURIN  
BARNES  
HINES  
WASHINGTON  
BROWNSON

Yea  
Yea  
Yea  
Yea  
Yea  
Yea  
Yea

ATTEST:

***SIGNATURE ON FILE***

Sherletta Hawkins, Town Clerk

THE MAYOR AND COUNCIL OF THE  
TOWN OF FOREST HEIGHTS, MARYLAND

By: ***SIGNATURE ON FILE***  
Habeeb-Ullah Muhammad, Mayor

***SIGNATURE ON FILE***  
By: ***SIGNATURE ON FILE***  
Jonathon Kennedy II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 26<sup>th</sup> day of March 2018 with 7 Aye votes and 0 Nay vote the aforesaid Resolution 18-18 passed.

***SIGNATURE ON FILE***

Sherletta Hawkins, Town Clerk

Exhibit A, attached hereto (Pennoni Associates Inc. Proposal for Professional Services – Safe Routes to School along North Huron Drive - Supplement).